

## FOREIGN SHIP LINES APPEAL DRY RULING

Ten Companies File Briefs  
Against Liquor Ban in Supreme Court.

HEARING SET FOR JAN. 2

Appellants Hold Daugherty  
Can't Forbid Drinks Inside  
Sea Limit.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau,  
Washington, D. C., Dec. 19.

On behalf of ten foreign steamship companies, George W. Wickensham, former Attorney-General, filed with the Supreme Court today a brief attacking the legality of the ruling of Attorney-General Daugherty that the prohibition amendment forbids the use of liquors on all vessels within the three mile zone. The court will hear arguments in the case January 2. Mr. Wickensham in his brief contends:

1—Neither the Eighteenth Amendment nor the National Prohibition Act, properly construed, require the application of the prohibition restrictions to every place wherever the United States may exercise its power.

2—A foreign ship temporarily within the waters of the United States is not "territory subject to the jurisdiction" of the United States, within the meaning of the Eighteenth Amendment and the National Prohibition Act.

3—The courts will never give a construction to a statute contrary to international law or the accepted custom and usage of civilized nations, when it is possible reasonably to construe it in any other manner.

4—Sea stores on merchant ships are considered as part of the ship itself and always have been exempted from tariff and other laws affecting the merchandise introduced into this country.

5—Even if foreign steamship companies within American ports

or waters should be considered as territory subject to the jurisdiction of the United States, nevertheless the carriage of intoxicating liquors as part of the sea stores in the circumstances described in the bill, is not a violation of the amendment or the statute.

This matter came up to the Supreme Court on appeal from final decrees entered in each of ten separate causes by the District Court of the United States for the Southern District of New York in Equity. Judge Learned Hand sitting. He dismissed bills of complaint filed to enjoin the defendants—Secretary of the Treasury Mellon, the Acting Collector of Customs for the Port of New York and Federal Prohibition Director Day for the State of New York, from enforcing against foreign steamships plying between American and foreign ports the provisions of the National Prohibition act as construed by the Attorney-General.

There are no disputes on the facts, and the questions submitted to the court are purely questions of law.

The foreign steamship companies represented by Mr. Wickensham are the Cunard and Anchor Line, Oceanic Steam Navigation Company, Ltd.; International Navigation Company, Compagnie Generale Transatlantique, the Netherlands-American Steam Navigation Company (Holland-American Line), Liverpool, Brazil and River Plate Steam Navigation Company, Ltd.; Royal Mail Steam Packet Company, the Pacific Steam Navigation Company and Navigazione Generale Italiana.

**DRY RAIDS BROKE LAW;  
BIG SEIZURES RETURNED**

**U. S. Court Finds Agents Violated Constitution.**

PHILADELPHIA, Dec. 19.—Declaring that United States prohibition agents violated the Fourth Amendment to the Constitution in making raids without proper search warrants, Judge Thompson in the United States District Court today dismissed two liquor cases involving several hundred thousand dollars.

Liquor and wines valued at \$300,000 were ordered returned to the warehouse of J. L. Lipschutz, where it had been seized by dry agents. Still, copper coils, malt extract, whiskey flavoring and accessories worth many thousands were ordered returned to the Atlantic Food Products Company.

## IMPERIAL WIZARD IS ON A NATIONAL TOUR

Dr. H. W. Evans With Staff  
and Bodyguard Seeks to  
Offset Attacks.

HE CALLS KLAN PERFECT

Invisible Empire Will Fight  
Bootleggers and Will Keep  
on the Mask.

Special Dispatch to THE NEW YORK HERALD.  
New York Herald Bureau,  
Washington, D. C., Dec. 19.

Dr. H. W. Evans of Dallas, Tex., the new imperial wizard of the Ku Klux Klan, who is in Washington with his staff of national Klan officers and a "bodyguard," is making a tour of the country in an effort to offset attacks on the Klan.

Dr. Evans denies the Klan is being reformed. He says it cannot be improved. But it is apparent that a well defined scheme has been adopted under which Klan organizations will take up popular issues in an endeavor to prove they are allied with the friends of law and order.

Dr. Evans told THE NEW YORK HERALD today that the Klan was about to engage in a national drive against bootleggers. In different sections the Klan will get behind the "better class" of citizens in efforts to improve local conditions.

The imperial wizard and his party are installed in a gorgeous suite in the New Willard Hotel, only a few blocks from

the White House. They are constantly in conference with local officials of the Klan, whose names and identity they carefully conceal. Washington is not the first city visited by the imperial wizard and his staff, but it is the first city in which their presence has been discovered. Just where they intend to go from Washington nobody will reveal, but the list of towns to be visited covers the entire country.

One purpose of the visit as revealed by Dr. Evans to-day, is to get into closer contact with local organization officials. It was apparent to those who knew the details that he was making a survey of sentiment in the localities where the Ku Klux Klan has strength, with a view of working up a local program to suit each situation.

"It is the duty of the membership," Dr. Evans said, "to see that the law is enforced. The Ku Klux Klan has the best intelligence system in the world and it will be utilized in seeing that the prohibition laws as well as all other laws are enforced."

"The Ku Klux Klan cannot be improved. We will simply carry on the work cut out for us, which is to bring out the best in our citizenship, as we all are 100 per cent. Americans."

"The opposition to the Ku Klux Klan is coming from four sources—from Jews, Catholics, negroes and foreigners who are not eligible to membership. The reasons are plain. The organization is one simply of Americans. The Klan never has declared war on anybody, and believes that Jews, Catholics, negroes and foreigners can be good citizens and are good citizens."

"The drive against the organization in a political way is a benefit. Members are coming in by the thousands, all over the country."

**SUFFOCATES UNDER SAND.**

MONROVIA, N. Y., Dec. 19.—Timothy Fitzgerald, 22 years of age, of New York, employed by the Atlantic Utilities Company at Mingap Falls, was smothered to death today. He was buried underneath an avalanche of sand while working on the development at the big dam being erected there.

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